IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9864 OF 2004

Rama Appa Avarange & Ors. .. Petitioners.
Vs.
Jagannath Shankar Pawar & Ors. .. Respondents.

Mr.V.S.Gokhale for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 17TH DECEMBER, 2004

P.C.:

. Heard Mr.Gokhale, learned counsel for the petitioners.

2. This petition is directed against the order dated 26.10.2004 by which application Exhibit-83 filed by the respondent seeking amendment has been allowed. It is not disputed that in a given case the court has jurisdiction and power to allow an amendment of Darkhast. Keeping that in view and considering the nature of amendment I am not inclined to interfere with the impugned order in supervisory jurisdiction of this court under Article 227 of the Constitution of India. It is always open for the petitioners to file their reply to the amendment allowed by the impugned order.

The writ petition, therefore, fails and is dismissed as such. All contentions on merits are left open.

(D.B.Bhosale, J.)